

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In Re) Case No. 13-19746-KAO
CLI HOLDINGS, INC. dba ALYDIAN,)
Debtor.) EX PARTE ORDER AUTHORIZING
) RULE 2004 EXAMINATION
)
)

THIS MATTER having come before the Court on the *Ex Parte* Motion (the “Motion”) for Order Authorizing Rule 2004 Examination of Debtor CLI Holdings, Inc. dba Alydian (“Debtor”), filed by Bitvestment f/k/a Dalsa Barbour LLC (“Bitvestment”) pursuant to Fed. R. Bankr. P. 2004 and 9016; and the Court having considered the Motion, and finding that good cause exists for granting the relief sought by Bitvestment; now, therefore, it is hereby

ORDERED as follows:

- A. The Motion is Granted;
- B. Debtor is required to designate a representative to appear and be examined under oath as to the matters described in **Exhibit A** attached hereto, pursuant to a subpoena(s) to be issued under Fed. R. Bankr. P. 9016;
- C. Debtor is required to produce the documents described in **Exhibit A** attached

1 hereto that are in Debtor's possession, custody or control, pursuant to a subpoena(s) to be
2 issued under Fed. R. Bankr. P. 9016; and

3 D. Such examination may continue from the time and date set until completed.

4 *#### End of Order####*

5 Presented by:

6 LANE POWELL PC

8 By /s/ Tereza Simonyan

9 Charles R. Ekberg, WSBA No. 00342

10 Tereza Simonyan, WSBA No. 41741

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12 f/k/a Dalsa Barbour LLC

13 REYHANI NEMIROVSKY LLP

14 By: /s/ Bryan Reyhani

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23 EX PARTE ORDER AUTHORIZING RULE 2004 EXAMINATION - 2

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EXHIBIT “A”

1. A list of all addresses that Debtor utilizes and has previously utilized to mine, receive, transfer, store, hold, and otherwise control Bitcoins, and copies of any and all records and documents relating to these addresses.
2. A list of all addresses that CoinLab Inc. (“CoinLab”) utilizes and has previously utilized to mine, receive, transfer, store, hold, and otherwise control Bitcoins, and copies of any and all records and documents relating to these addresses.
3. A list of all addresses that Peter Vessenes utilizes and has previously utilized to mine, receive, transfer, store, hold, and otherwise control Bitcoins, and copies of any and all records and documents relating to these addresses.
4. Copies of any and all records and documents relating to the “business loan” extended to the Debtor by XRAY Holdings Limited (“XRAY”), including without limitation, loan documents, corporate resolutions, minutes, correspondence.
5. Copies of all records and documents relating to any and all current and past obligation(s) owed by the Debtor to CoinLab.
6. Copies of any and all records and documents relating to the Debtor’s transfer of 10,000 Bitcoins to CoinLab on or about October 29, 2013.
7. Copies of records of any and all transfers of Bitcoins or cash equivalents from Debtor to other parties, including, but not limited to, CoinLab, XRAY, any and all parties to Bitcoin presale agreements with Debtor, Peter Vessenes, Brian Cartmell, and any other insiders of the Debtor as the terms is defined under §101(31) of the Bankruptcy Code, including without limitations, all communications (including emails, text messages, instant messages, and all other forms of electronic communication), price estimates, agreements, invoices, statements of work, cancelled checks, wire transfer statements, receipts and communications relating to such transfers.
8. Copies of any and all financial statements or other lists of assets, liabilities, and/or income for the Debtor in the two (2) years preceding the Debtor’s bankruptcy filing.
9. Copies of any and all checking and savings registers, bank account statements, and bank books, including savings books and checking account records in the Debtor’s name, or in the name of any individual or entity, that is holding or has held any funds on behalf of the Debtor during the two (2) years preceding the Debtor’s bankruptcy filing.
10. Copies of any and all evidence of indebtedness owing from the Debtors to any third party, including, without limitation, promissory notes, loan agreements, finance agreements and leases and copies of any and all documents evidencing security for any indebtedness, and records of all consideration relating to such indebtedness.

1 11. All documentation evidencing any capital contributions made by the Debtor's
2 shareholders to the Debtor, including, without limitation, bank records, cancelled checks,
2 wire transfer documentation, deeds, or other conveyance documents.

3 12. Copies of any and all organizational documents of any other business(es) owned or
4 controlled by the Debtor, or in which Debtor has stock or interest of any kind, including, but
5 not limited to, minutes and resolutions, bylaws, shareholder agreements, operating
agreements, articles of incorporation, buy-sell agreements, stock registers, and stock
certificates.

6 13. All documents and communications (including emails, text messages, instant
7 messages, and all other forms of electronic communication) by or between the Debtor and
8 XRAY, Brian Cartmell and Joel Yarmon relating to transactions with the Debtor.

9 14. Copies of any and all organizational documents of the Debtor, including, but not
10 limited to, minutes and resolutions, bylaws, shareholder agreements, operating agreements,
articles of incorporation, buy-sell agreements, stock registers, and stock certificates.

11 15. Copies of any and all organizational documents of CoinLab, including, but not
12 limited to, minutes and resolutions, bylaws, shareholder agreements, operating agreements,
articles of incorporation, buy-sell agreements, stock registers, and stock certificates.

13 16. Copies of any and all documents concerning or relating to all security measures in
14 place by the Debtor and/or CoinLab to secure any Bitcoins that the Debtor and CoinLab
possess.

15 17. Copies of any and all records in connections with the ownership of Bitcoins by the
16 Debtor, CoinLab and XRAY.

17 18. Copies of any and all records concerning or relating to all Bitcoins mined by the
18 Debtor and/or CoinLab during the two (2) years preceding the Debtor's bankruptcy filing.

19 19. Any and all income tax returns for the Debtor for the two (2) years preceding the
20 Debtor's bankruptcy filing, including without limitations, schedules, amendments,
attachments, exhibits and all other documents relating to such income tax returns.

21 20. Copies of any and all records and documents concerning or relating to the acquisition
22 of any Bitcoin mining equipment or parts for any such equipment during the two (2) years
preceding the Debtor's bankruptcy filing.

23 21. Copies of all documents and communications (including emails, text messages,
24 instant messages, and all other forms of electronic communication) concerning or relating to
25 any efforts undertaken by the Debtor, or any other person or entity on behalf of the Debtor, to
market, sell, list for sale, and otherwise solicit purchase offers for any Bitcoin mining
equipment or any parts for such equipment during the two (2) years preceding the Debtor's
bankruptcy filing.

1 22. Copies of all documents relating to any and all deeds, bills of sale, excise tax
2 affidavits, and other transfer documents, not otherwise described herein, relating to Debtor's
ownership of, or interest in, any real or personal property, cash or cash equivalents.

3 23. Copies of all records, documents and correspondence (including emails, text
4 messages, instant messages and any other forms of electronic communications) concerning or
5 relating to the Debtor's agreement with Daniel H. Gallancy, Bitvestment Partners LLC
and/or Dalsa Barbour LLC.

6 24. A list of all current and former employees of the Debtor and CoinLab.

7 25. A list of all current and former board members of the Debtor and CoinLab.

8 26. Copies of all budgets, business plans, due diligence materials, revenue projections
9 and estimates prepared by the Debtor, or any other party on behalf of and for the Debtor,
10 during the two (2) years preceding the Debtor's bankruptcy filing, including without
11 limitation, expense estimates for Bitcoin mining equipment (including components and
12 parts), service and labor, historical estimates for Bitcoin mining capacity that would result
from the above-referenced expenditures, the estimated timing of the availability and
deployment of the mining capacity, and historical estimates for overall industry Bitcoin
mining capacity.

13 27. Copies of all records and documents concerning or related to all Bitcoin pre-sale
14 agreements to which the Debtor is or has been a party, including without limitation, Chris
15 Koss, Bobby Seidensticker III, Barry Silbert, Soule Investment LLC, Jon Chin, Roger Ver,
BTC Agreements.